

and accurate. If the organization has filed a Federal Report Form LM-2 or LM-3, the requested information may be taken from it, provided that it covers the same reporting period. If this is the case, copies of Federal Report Forms LM-1/LM-2 or LM-3 may be submitted for the Kansas annual report form.

If more space is needed, use a separate sheet for the additional information. Indicate the section of the form to which any such information refers. A \$5 fee must accompany the report.

BUSINESS AGENT REGISTRATION

The law provides that a business agent's registration certificate must be obtained for: "any authorized person, without regard to title, who is a full-time official of a labor organization and whose principal duties are to act or attempt to act for a labor organization in collective bargaining and other contract negotiations, in servicing existing contracts, or in organizing employees into collective bargaining units" or "any authorized person who is a full-time official of an employee organization and whose principal duties are to act or attempt to act for an employee organization (1) in proceedings to meet and confer and other proceedings involving a memorandum of agreement, (2) in servicing existing memorandums of agreement, or (3) in organizing employee organizations."

APPLICATION PROCEDURE

Application procedures to represent a labor organization or an employee organization are the same. All applicants must be a citizen of the United States and must obtain an "application for registration as business agent" from the Office of the Secretary of State. This application must be completed in full, signed by the president and secretary of the organization and returned to this office accompanied by the

\$12.50 registration fee. A registration certificate will be mailed once the application has been processed.

APPLICATION INSTRUCTIONS

Section I. To be completed by the applicant: Enter the date of the application, full name as it will appear on the certificate, mailing address, the full name of the organization and the year for which the application is made. Applicant must state the length of time that he has been a resident of Kansas. If the applicant is not a Kansas resident, state none. Sign this section of the application.

Section II. To be completed by the president and secretary: The president and secretary of the organization must attest to the fact that the applicant is duly authorized to act as a business agent for the organization. The blanks in this section require the same information as above. Both the president and the secretary of the organization must sign this section. We ask that these names be both printed and signed.

AGRICULTURAL ORGANIZATION

Before any agricultural employee organization shall be certified as such by the Agricultural Labor Relations Board, it shall file a copy of its articles, by-laws or governing rules with the Office of the Secretary of State.

The organization must also submit annually a list of the names and addresses of its officers and a designation of its principal office in Kansas. Whenever the above information changes, it is the duty of the organization to report such changes within 30 days after the change.

Every agricultural employee organization must file an annual report. The form of the report and the information required is the same as that of a labor organizations. A fee of \$5 must accompany the report.



Filing requirements:

Labor, Employee and Agricultural Organizations

RON THORNBURGH
Secretary of State
First Floor, Memorial Hall
120 S.W. 10th Ave.
Topeka, KS 66612-1594
(785) 296-4564
www.kssos.org

Kansas law provides that every labor or public employee organization having 100 or more members must file an annual report with the Office of the Secretary of State. Also, every individual who wishes to operate as a business agent for such an organization must apply for and obtain a registration certificate from the Secretary of State. Forms for annual reports and applications for registration as business agents are available. This brochure explains the laws and gives step-by-step instructions for the completion of each form.

WHO MUST FILE, DEADLINE

Those labor or employee organizations having 100 or more members must file annual reports by April 15 of each year. If the report is filed by a labor organization or employee organization representing public employees, a copy is to be submitted to the Public Employee Relations Board, 3rd floor, 1430 S.W. Topeka, KS 66612-1853.

REPORTING PERIOD, FEE

The information (asset and liabilities, fees, salaries) contained in the reports must be as of the previous December 31, or at the close of business on the last day of the organization's previous fiscal year. Labor or employee organizations must submit a \$5 fee with their annual report.

PENALTIES FOR FAILURE TO FILE

Labor organizations that fail to file an annual report by April 15 are subject to a civil penalty of \$100. If the report is more than 60 days late an additional fine of \$5 per day may be assessed. For good cause shown, the Secretary of State may remit or waive all or any part of any such civil penalties.

CONSTITUTION, BY-LAWS

A labor organization that is not exempt by federal law and is operating in Kansas, or has a business agent operating in Kansas, must make sure that a copy of its constitution and by-laws are on file with the Secretary of State. All changes or amendments to the constitution or by-laws adopted subsequent to the organization's original filing must be filed with the Secretary of State within 30 days after their adoption. Failure to file the constitution or by-laws, or to keep them up to date by filing of changes, amendments or additions, may subject the organization to the same penalties as those for failure to file annual reports.

SUBSTITUTION OF FEDERAL FORMS

The organization may file copies of Federal LM-2 or LM-3 reports instead of filing the Kansas annual report form, as follows:

1. By filing a copy of Labor Organization Information Report LM-1 currently on file with the U.S. Department of Labor, and,
2. By filing annually a copy of Labor Organization Annual Report from LM-2 or Form LM-3 also filed with the U.S. Department of Labor, provided it covers the same reporting period.

ANNUAL REPORT FORMS

State the reporting period: For the previous year ending December 31, or on the last day of the organization's previous fiscal year.

A. Name of organization: State the name of the organization fully so that it may easily be distinguished from others of a similar name.

B. Location of office of organization: Give street address, city, state and zip code of the principal office of the organization, regardless of its affiliations.

C. Mailing address: If the organization maintains a separate mailing address or post

office box, give such information here. If the mailing address is the same as the address given above, state "same."

D. Number of members: Enter the number of members in the organization as of the previous December 31 or the last day of the previous fiscal year. If it has less than 100 members, the organization is not required to file an annual report, but is required to file notice with the Secretary of State. A form is available for this.

E. Date of regular election of officers: Enter either the date ("November 30") or appointed day ("last Thursday in January") that the organization elects its officers, as specified in the constitution or by-laws.

F. Names, titles and addresses of officers and registered business agents: Enter the name of each officer and registered business agent of the organization and official title. Addresses should be mailing addresses. If there is insufficient space on the form for a listing of all officers and business agents, complete the listing on a separate sheet.

G. Salaries, wages, bonuses and other remuneration paid each officer and registered business agent: List all income that each officer and registered business agent has received from the organization. If there is insufficient space, list any additional information on a separate sheet. Indicate if there is none in a particular category.

H. Rate of initiation fees, dues, assessments and any other charges to members: List payments that are made only once (example: initiation fees) in their full amount. List payments that are made on a periodic basis (example: dues) at the rate charged per year. If there is none, so state.

I. Audited statement of income, expenditures, assets and liabilities as of the last day of the reporting period: This report must be complete